HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 2962 OF 2006

DATED: 17.2.2006

Between:

B. Venkata Rao

… Petitioner

and

The Dy. Registrar, Cooperative Societies,

Thirupathi, Chittoor District and another

… Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO.2962 OF 2006

ORAL ORDER:

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The Writ Petition is inherently misconceived.

The petitioner is the Member of the 2nd respondent-Cooperative House Building Society. It is neither pleaded, urged or demonstrated before this court that the Second respondent is a State or an Instrumentality of the State, within the meaning of Article 12 of the Constitution of India.

The grievance of the petitioner is that the 2nd respondent is not considering his case for allotment of a plot and is considering only those petitioners whose cases were directed to be considered by this court in W.P.No.16213 of 1992 and batch, by the judgment dated 2.7.2004. Those writ petitions were filed against an order of the Cooperative Tribunal and this court directed the Cooperative House Building Society to consider the cases of those petitioners.

If it is the petitioner's grievance that he is also entitled for allotment of plot, along with the petitioners in the batch of writ petitions, the appropriate course for the petitioner is to pursue remedies under the provisions of the A.P. Cooperative Societies Act, 1964, including the available remedy under Section 61 of the said Act.

The Writ Petition in any event, is misconceived and is accordingly dismissed. No costs.

GODA RAGHURAM, J

Date: 17.2.2006

cvm